

SENATE No. 759

The Commonwealth of Massachusetts

PRESENTED BY:

Walsh, Marian (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to substance addiction treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Marian Walsh	Suffolk and Norfolk
Thomas M. Menino (Mayor of Boston)	
Patricia D. Jehlen	Second Middlesex
Elizabeth A. Malia	11th Suffolk
Marie P. St. Fleur	5th Suffolk
Carlo P. Basile	1st Suffolk
Gloria L. Fox	7th Suffolk
Martin J. Walsh	13th Suffolk
Ellen Story	3rd Hampshire
Allen J. McCarthy	7th Plymouth
Carl M. Sciortino, Jr.	34th Middlesex
Kay Khan	11th Middlesex
Willie Mae Allen	6th Suffolk
Richard J. Ross	9th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01144 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO SUBSTANCE ADDICTION TREATMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 “SECTION XX:

2 SECTION 1. Chapter 29 of the General Laws, as appearing in the official 2006 version, is hereby
3 amended, by inserting after section 2XXX the following section: -

4 Section 2YYY. There shall be established and set up on the books of the commonwealth a separate fund
5 to be known as the Substance Abuse Health Protection Fund. Amounts credited to the fund shall be
6 expended, not subject to appropriation, by the department of public health to provide funding or
7 supplement existing levels of funding for the following purposes:

8 (a) For a comprehensive substance abuse treatment program, to be administered by the department of
9 public health, for the treatment of individuals who are dependent on or addicted to alcohol or controlled
10 substances, or both alcohol and controlled substances and who lack public or private health insurance that
11 would provide coverage for such treatment;

12 (b) To fund such substance abuse treatment programs, subject to approval by the department of public
13 health, administered by the office of community corrections, the office of the district attorney, the

department of corrections, the department of social services, the department of youth services or the office of the commissioner of probation;

(c) For comprehensive school health education programs, subject to approval by the department of public health, administered by the department of education, provided that such programs shall incorporate information relating to the hazards of alcohol and controlled substances use;

(d) For workplace-based and community substance abuse prevention and drinking cessation programs, for substance abuse-related public service advertising and for drug and alcohol education programs, administered by the department of public health; and

(e) For outpatient substance abuse treatment services, subject to approval by the department of public health, administered by the office of community corrections, the office of the district attorney, the department of corrections, the department of social services, the department of youth services or the office of the commissioner of probation, for the outreach, counseling, training and follow-up of individuals who have received treatment for or are dependent on or addicted to alcohol or controlled substances.

No expenditure from the fund shall cause the fund to become deficient at any point during the fiscal year.

SECTION 2. Notwithstanding clause (g) of section 6 of chapter 64H or any other general or special law to the contrary, there shall be a sales tax of 5 per cent on each vendors gross receipts on each sale at retail of alcoholic beverages for off-premises consumption. Notwithstanding any general or special law to the contrary, the proceeds of said tax together with any penalties, forfeitures, interest, costs of suits and fines collected in connection therewith, all as determined by the commissioner of revenue according to his best information and belief shall be credited to the Substance Abuse Health Protection Fund. Any appropriation, grant, gift, or other contribution explicitly made to said fund at any time, and any income derived from the investment of amounts credited to said fund shall also be credited to the Substance Abuse Health Protection Fund.”